

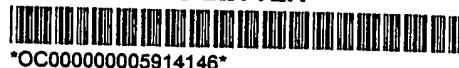
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/766,273	01/18/2001	Michael Bittner	22564-0707

CONFIRMATION NO. 1332

## FORMALITIES LETTER



\*OC000000005914146\*

David W. Maher  
McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center, 28th Floor  
San Francisco, CA 94111

Date Mailed: 03/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide

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an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc - copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

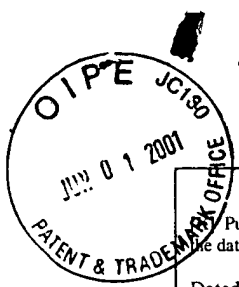
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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. 22564-0707US

**Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):**

Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

Dated: May 29, 2001

Name of Person Certifying: David W. Maher

Printed Name: David W. Maher

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Michael BITTNER, et al.

Assignees: Quantum Dot Corporation and THE GOVERNMENT OF THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services

Filing Date: January 18, 2001

Examiner: Not Yet Assigned

Serial No.: 09/766,273

Group Art Unit: 1645

Title: **OLIGONUCLEOTIDE-TAGGED SEMICONDUCTOR NANOCRYSTALS FOR MICROARRAY AND FLUORESCENCE IN SITU HYBRIDIZATION**

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Submission of Missing Parts of Application Under 37 C.F.R. 1.53**

Sir:

In response to the Notice of Missing Parts of Application mailed on March 29, 2001, enclosed are the following items for filing in the above-referenced U.S. Patent Application:

- ☒ Declarations for Patent Application ([6] pages – originally executed)  
Payment for surcharge for late filing ☒ \$65.00 *small entity* ☐ \$130.00 *large entity*
- ☒ Power of Attorney By Assignee and Exclusion of Inventor Under 37 C.F.R. 3.71 on assignee, Quantum Dot Corporation with assignment copy [5] pages - originally executed].
- ☒ Power of Attorney By Assignee and Exclusion of Inventor Under 37 C.F.R. 3.71 on assignee, The Government of the United States of America, as represented by the Secretary, Department of Health and Human Services with assignment copy [4] pages - originally executed].
- ☐ A Petition for Extension of Time. ( \_ months), [ \_ ] page(s) Fee \$ \_\_\_\_\_
- ☒ Substitute Drawings in Compliance with 37 C.F.R. 1.84 [10] sheets.

- ☒ Copy of Notice of Missing Parts of Application dated March 29, 2001 [2] pages.
- ☒ Initial computer readable form (CRF) copy of the "Sequence Listing" in Compliance with 37 C.F.R. 1.821-1.825 [1 - 3 ½ Floppy disk].
- ☒ Written copy of Sequence Listing under 37 C.F.R. 1.21-1.825 [3] pages.
- ☒ Statement Regarding Sequence Listing Under 37 C.F.R. 1.21-1.825 [1] page.
- ☐ Request for Refund under 37 CFR 1.28(a) for the overpayment of the filing fee and surcharge.
- ☒ Return Postcard.
- ☐ Other: \_\_\_\_\_

**TOTAL FEES: \$65.00**

- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.
- ☐ Check in the amount of \$\_\_\_\_\_, Check No. \_\_\_\_\_ to cover the Total Fees due is enclosed.
- ☒ Please charge the above fee(s) to Deposit Account No. 50-1189, Docket No. 22564-0707US, in the amount of \$65.00 to cover the above fees. *A duplicate copy of this sheet is attached.*
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 50-1189, Docket No. 22564-0707US. *A duplicate copy of this sheet is enclosed.*

Having now complied with all of the requirements of 37 C.F.R. 1.53, applicant respectfully requests that this application be placed upon the files for examination.

Date: May 29, 2001

Respectfully submitted,

By: David W. Maher

David W. Maher  
Registration No. 40,077

McCutchen, Doyle, Brown & Enersen, LLP  
Three Embarcadero Center  
San Francisco, California 94111  
Telephone: (650) 849-4908  
Telefax: (650) 849-4800